

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)	Criminal No. 03-CR-10362- PBS
)	
v.)	
)	
SEAN STARK,)	
Defendant.)	
_____)	
)	
IN RE: FABIAN RUIZ)	
)	
_____)	

APPLICATION

Michael J. Sullivan, United States Attorney for the District of Massachusetts, hereby applies to this Court, pursuant to Title 18, United States Code, Section 6003, for an Order requiring Fabian Ruiz to testify or provide other information before a jury at the trial of United States v. Sean Stark, Criminal No. 03-10362-PBS, within the District of Massachusetts. In support of this application, the Government respectfully alleges as follows:

1. Fabian Ruiz has been called to testify or provide other information before a jury at the trial of United States v. Sean Stark, Criminal No. 03-10362-PBS, within the District of Massachusetts.

2. It is likely that Fabian Ruiz will refuse to testify or provide other information on the basis of his privilege against self-incrimination.

3. In the judgment of the United States Attorney, the

testimony of Fabian Ruiz may be necessary to the public interest.

4. This Application is made with the approval of **Bruce C. Swartz**, Deputy Assistant Attorney General of the **Criminal Division** of the United States Department of Justice, pursuant to the authority vested in **him** by Title 18, United States Code, Section 6003(b) and 28 C.F.R. Section 0.175(a). A copy of the letter from the Deputy Assistant Attorney General expressing such approval is attached hereto, and incorporated herein.

WHEREFORE, the United States Attorney requests that this Court issue an Order pursuant to Sections 6002 and 6003 of Title 18, United States Code, requiring Fabian Ruiz to give testimony and provide other information relating to all matters about which he may be examined before the jury.

Respectfully submitted,

/s/ Jennifer Hay Zacks
JENNIFER HAY ZACKS
Assistant United States Attorney

Date: December 6, 2005_____